

Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, D.C. 20554

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APR 25 2003

FCC - MAILROOM

In the Matter of)
) MM Docket No. _____
 Amendment of Section 73.202(b),) RM _____
 Table of Allotments)
 FM Broadcast Stations)
 (Yazoo City and Benton, Mississippi))

To: Chief, Allocations Branch
 Policy and Rules Division
 Mass Media Bureau

PETITION FOR RULEMAKING

SSR Communications Incorporated ("SSR"), licensee of WYAB (formerly WMGO-FM), Yazoo City, Mississippi, pursuant to Rule 1.401, hereby petitions the Federal Communications Commission for the initiation of a rulemaking proceeding to amend the FM Table of Allotments (§73.202(b) of the Commission's Rules) to delete FM Channel 226A at Yazoo City, Mississippi and reassign FM Channel 226A to Benton, Mississippi, as that community's first local broadcast service, as follows:

<u>City</u>	<u>Present</u>	<u>Proposed</u>
Yazoo City, Mississippi	208A, 221C3, 226A	208A, 221C3
Benton, Mississippi	---	226A

1. Benton is a bona-fide community for allotment purposes. Although it is not an incorporated city, it does have the requisite characteristics of a community. As of January of 2002, there were 2,112 residents living within the community's zip code point: 39039. According to the 1990 U.S. Census Gazetteer Zip Code data, there were only 1114 residents living in Benton in the year 1990, making for a 12-year increase in

population of almost 90%. The community sports its own Post Office (39039), private school (the Benton Academy), large volunteer fire department, several churches, and numerous businesses. An attached presentation (attached hereto as Exhibit 1) better illustrates SSR's contention that Benton is a community for allotment purposes with photographs and telephone listings, among other showings.

2. Per the attached Engineering Statement (attached hereto as Exhibit 2), Channel 226A can be assigned to the community of Benton using the reference site of 32-49-19 N, 90-16-46 W. The reference site is the same as the current tower location for WYAB, so SSR would not have to construct new facilities to meet its desired outcome of this Petition. At the reference site, there is a previously existing shortspacing to the license of KQID-FM (226C) at Alexandria, Louisiana, of approximately two kilometers. As the tower site would not change, no new shortspacings would be created as a result of this Petition. All other minimum distance separation requirements of §73.202(b) of the Commission's Rules are met. The principal community contour coverage requirements of §73.315 are also met at the reference site.

3. SSR believes that this Petition will result in a preferential arrangement of the Table of Allotments, as Benton would receive its first local broadcast service. Yazoo City will continue to be well served by its other broadcast outlets, including WJNS-FM on FM Channel 221C3, as well as a yet-to-be constructed station on FM Channel 208A. The population receiving service from WYAB on FM Channel 226A would not change (as the tower site would not change), so SSR respectfully believes that no gain/loss area showings are required in this Petition. SSR also respectfully asserts that, as the reference site would not provide city-grade service to any part of an urbanized area, it is not

required to provide a *Tuck* showing to the Commission. If the Commission should decide that SSR has made errant assumptions in either of these points, then SSR will be more than happy to provide any required showing(s) to make this Petition complete.

4. SSR believes that, for reasons stated above and in its exhibits, a rulemaking proceeding should be initiated to amend §73.202(b) to delete FM Channel 226A at Yazoo City, Mississippi, reassign FM Channel 226A to Benton, Mississippi, and modify the license of WYAB accordingly.

Dated: April 14, 2003

SSR Communications Incorporated
5270 West Jones Bridge Road
Norcross, GA 30092-1628
(770) 447-0026

Respectfully submitted,

SSR Communications Incorporated

By: 

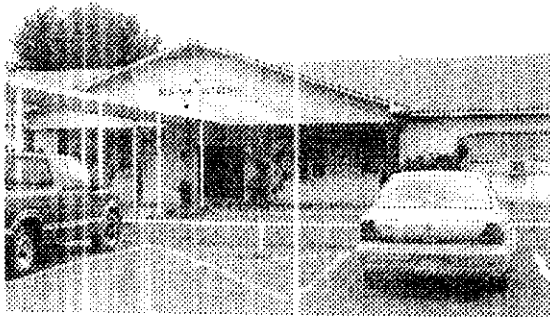
Matthew K. Wesolowski
General Manager

SSR Communications Incorporated
Petition for Rulemaking
April 14, 2003

EXHIBIT 1

Evidence that Benton, Mississippi is a Bona-Fide Community

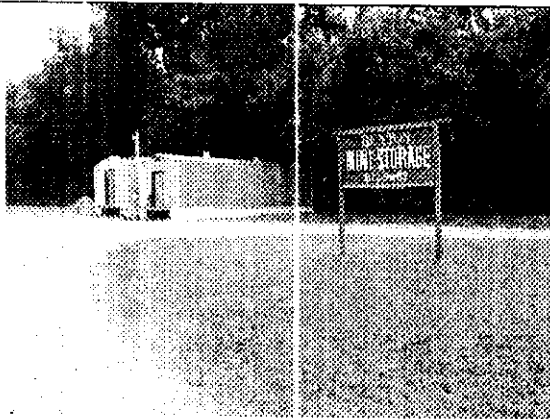
EXHIBIT 1, PART A: PHOTOGRAPHS OF BENTON COMMUNITY



Benton Academy - Home of the Red Raiders and ~500 K-12 students.



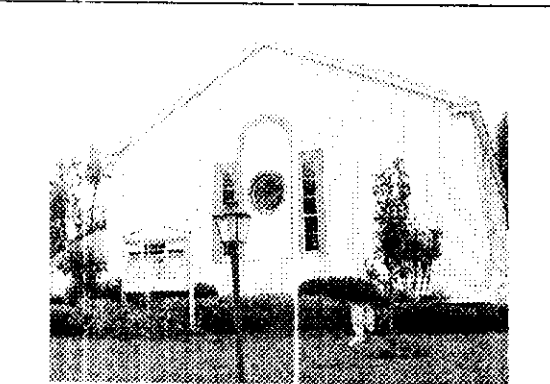
Benton Volunteer Fire Department - Facility is only a few years old.



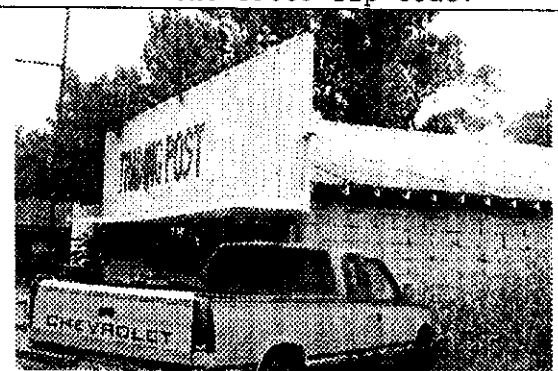
Benton Mini-Storage - A Company in town with "Benton" in its name.



U.S. Post Office - Serves Benton with the 39039 Zip Code.



Benton United Methodist Church - one of several Benton churches.



The Trading Post Store - Another popular business in Benton.



Historic Marker - explains the history of the Benton community:

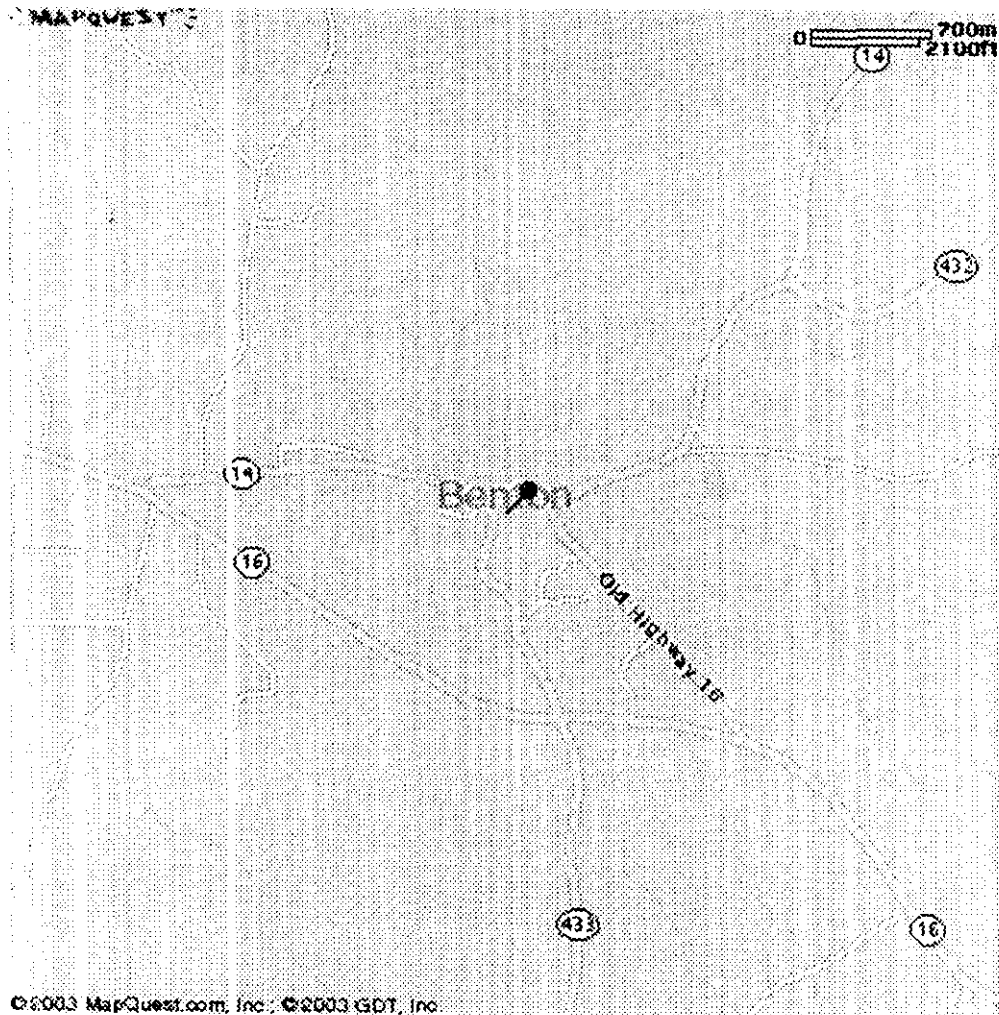
BENTON

- * -

Yazoo County seat, 1829-50.
Settled by Wm. Y. Gadberry,
1828, first court being held
in his log home. Chartered,
1836, Nearby Cedar Grove
Plantation was home of
Col. John Sharp & of famed
Sen. John Sharp Williams.

Mississippi Historical Commission

EXHIBIT 1, PART B: BENTON ON A MAP



Benton is the intersection point for Mississippi State Highways 14, 16, 432, and 433.

EXHIBIT 1, PART C: BENTON TELEPHONE DIRECTORY SAMPLING

NAME	ADDRESS	TELEPHONE
CHURCHES	All: BENTON, MS 39039	(Benton Exchange: 673)
St. Luke C of God/Chr.	59 Saint Luke Church Rd	(662) 673-8252
Benton Baptist Church	2507 Fugates Rd	(662) 673-2328
Scotland Baptist	6169 Scotland Rd	(662) 673-9959
Oak Grove AME	8866 Hwy 16 East	(662) 673-9176
GOVT/ED/COMMUNITY/OTHER		
Benton Academy (K-12)	Hwy 433	(662) 673-9722
U.S. Post Office 39039	1224 Old Hwy 16	(662) 673-9773
Benton Volunteer Fire	Hwy 433	
YCA Headstart Office	735 E Powell St	(662) 673-1667
AUTOMOBILE		
Benton Phillip 66	6161 Highway 16 E	(662) 673-9066
Fast Lube	Hwy 433	
Midway Grocery/Garage		(662) 673-9731
Berry's Gas		(662) 673-9652
British Petroleum	Hwy 14	
Carter's Auto Repair	Hwy 433	
Banks		
Bank of Yazoo City	1291 Old Hwy 16	(662) 673-0119
MEDICAL		
Carlsbad Physician Asc.	189 Whispering Pines Rd	(662) 673-0202
OTHER BUSINESSES		
Final Touch Family Salon	8801 Hwy 16 E	(662) 673-0304
Architectural Millworks		(662) 673-2332
Ashland Discount Outlet	3337 Hwy 4 W	(662) 224-8008
Bar Mixes, Ltd.	6727 Highway 16 E	(662) 673-9761
Benton Country Club	Hwy 432	
Benton Farm Supply	6303 Highway 16 E	(662) 673-8811
Benton Mini Storage	Hwy 14	(662) 673-9652
Boatner Enterprises	6161 Highway 16 E	(662) 673-9011
Champion Hill Farms	7391 Highway 16 E	(662) 673-8227
Matthew's Farms	Hwy 433	
Mills Taxidermy	11437 Hwy 433 S	(662) 673-2284
MS Plastic Molders, Inc	Hwy 16	(662) 673-9077
Mona's Barber/Styling	1326 Old Hwy 16	(662) 673-9947
Nelson Builders		(662) 673-9350
Network Supply, Inc.		(662) 673-9388
Reece Surveying	688 Hwy 433	(662) 673-8881
Riverview Marketing	4561 Paradise Rd	(662) 673-8132
Shell Pipe Line Corp.	Hwy 16	(662) 673-9160
Super Saver Grocery	1269 Old Hwy 16	(662) 673-9814
Super Saver Laundry	1269 Old Hwy 16	(662) 673-9814
Video Shak	1326 Old Highway 16	(662) 673-9635
Williams Electric Svc.	11901 Highway 16 E	(662) 673-0181
Wylie, Ruth CPA	1918 Old Highway 16	(662) 673-9080
Trading Post	Old Hwy 16	

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EXHIBIT 2
Engineering Statement

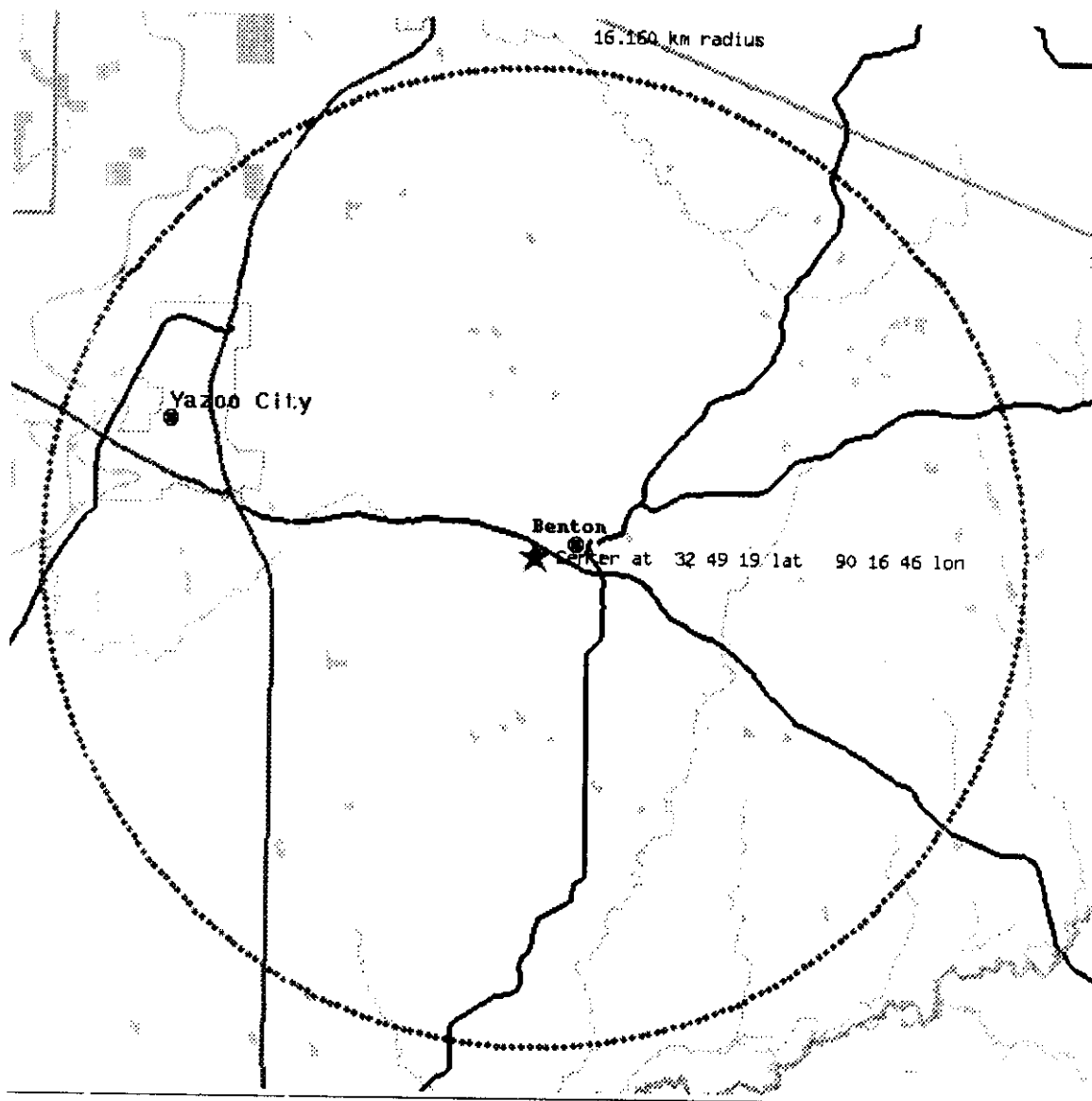


FIGURE 1 - SITE MAP

Proposed FM Channel 226A (93.1 MHz) Benton, MS
70 dBu Contour

TABLE 1 - ALLOCATION STUDY

ALL DISTANCES GIVEN IN KILOMETERS

Channel: 226A

FCC Database Date: 04/14/2003

Station	Ch	Freq.	Class	Type	City of License	St	Dist	Req Dist	Diff	Result
PROPOSED	226	93.1	A	PRC LIC	BENTON	MS	0.00	115	115	okay*
PROPOSED	226	93.1	A	PRC USE	BENTON	MS	2.21	115	112.79	okay*
WMGO-FM	226	93.1	A	FM LIC	YAZOO CITY	MS	0.00	115	115	okay*
--	226	93.1	A	FA USE	YAZOO CITY	MS	2.21	115	112.79	okay*
KQID-FM	226	93.1	C	FM LIC	ALEXANDRIA	LA	223.95	226	2.05	short**
--	226	93.1	C	FA USE	ALEXANDRIA	LA	223.95	226	2.05	short**
WQST-FM	223	92.5	C	FM LIC	FOREST	MS	95.00	95	0	close
--	223	92.5	C	FA USE	FOREST	MS	95.00	95	0	close
WSYE	227	93.3	C	FM LIC	HOUSTON	MS	166.37	165	-1.37	close
WDTL-FM	225	92.9	C2	FM LIC	CLEVELAND	MS	107.55	106	-1.55	close
--	225	92.9	C2	FA USE	CLEVELAND	MS	110.89	106	-4.89	close
--	227	93.3	C	FA USE	HOUSTON	MS	170.78	165	-5.78	okay
--	228	93.5	A	FA USE	CLINTON	MS	47.23	31	-16.23	okay
WHJT	228	93.5	A	FM LIC	CLINTON	MS	53.93	31	-22.93	okay
--	225	92.9	A	FA USE	HAZLEHURST	MS	103.68	72	-31.68	okay
WDXO	225	92.9	A	FM LIC	HAZLEHURST	MS	103.68	72	-31.68	okay

* = these shortspacings are only mutually exclusive with Petitioner's present assignment.

** = this is a pre-existing shortspacing. This shortspacing will NOT increase as a result of this Petition.

CERTIFICATION

I certify that I have directly prepared or supervised the preparation of this entire document. Although I have received no legal counsel on the authoring of this Petition for Rule Making, I believe it to be accurate and true, to the best of my knowledge.

Date: April 14, 2003

Respectfully Submitted,



Matthew K. Wesolowski
 General Manager
 SSR Communications, Inc.
 5270 West Jones Bridge Road
 Norcross, GA 30092-1628

(770) 447-0026